



State of Wisconsin  
2015 - 2016 LEGISLATURE

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**SENATE AMENDMENT 2,  
TO ASSEMBLY BILL 373**

January 20, 2016 – Offered by Senators C. LARSON, RINGHAND, BEWLEY, HARRIS  
DODD, VINEHOUT, MILLER, ERPENBACH, RISSER, SHILLING, LASSA and HANSEN.

- 1           At the locations indicated, amend the bill as follows:
- 2           **1.** Page 2, line 5: before “and making” insert “, providing a criminal penalty,”.
- 3           **2.** Page 35, line 2: after that line insert:
- 4           “**SECTION 91s.** 946.12 (6) of the statutes is created to read:
- 5           946.12 **(6)** In the capacity of a legislator or the governor, administers or
- 6           threatens to administer an action in retaliation against a public employee for an
- 7           action taken in the employee’s official capacity, for an exercise of the employee’s
- 8           rights under the first amendment to the U.S. Constitution or under article I, section
- 9           3, of the Wisconsin Constitution, or for reporting of fraud, waste, or mismanagement
- 10          in government if the effect of the legislator’s or governor’s action would be any of the
- 11          following:

(a) Dismissal, demotion, transfer, removal of any duty assigned to the public employee's position, refusal to restore, suspension, reprimand, verbal or physical harassment, or reduction in base pay.

(b) Denial of education or training if the education or training may reasonably be expected to lead to an appointment, promotion, performance evaluation, or other personnel action.

(c) Reassignment.

(d) Failure to increase base pay, except with respect to the determination of a discretionary performance award.”.

**(END)**